

1 Eric K. Fogderude, #070860
2 FLETCHER & FOGDERUDE, INC.
A Professional Corporation
3 5412 North Palm Avenue, Suite 101
Fresno, California 93704
Telephone: (559) 431-9710
4 Facsimile: (559) 431-4108

5 Attorney for Defendant, DANIEL BOOBAR

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IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,) CASE NO. CR-F-02-5301 OWW
11 Plaintiff,)
12 vs.) STIPULATION AND ORDER FOR A
13 DANIEL BOOBAR,) RESETTING OF HEARING ON REPORT
14 Defendants.) OF PROBATION OFFICER AND
PRESENTENCE MOTIONS
15 _____)

16 IT IS HEREBY STIPULATED by and between Plaintiff, the United States of
17 America, and the Defendant, by and through his attorney, that the date set for hearing on
18 presentence motions and the presentence report of the probation officer and sentencing be
19 extended as follows:

20 Defense Counsel's Informal Objections due to Probation and AUSA:
21 by December 24, 2005.

22 Motions and Formal Objections must be filed with the Court and served on
Probation and AUSA: by January 7, 2006, and Governments reply will be filed by
23 January 21, 2006.

24 Motions and RPO Hearing: will move from December 5, 2005, at 1:30 p.m. to
February 6, 2006, at 1:30 p.m.

25 The parties also agree that any delay resulting from this continuance shall be
26 excluded in the interest of justice pursuant to 18 U.S.C. sections 3161(h)(1)(F),
3161(h)(8)(A) and 3161(h)(8)(B)(I).

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1 On November 11, 2005, David Schiavon, the chief and only investigator for
2 Defendant Daniel Boobar underwent bilateral femoral artery surgery at St. Agnes
3 Hospital and his recovery is expected to take a minimum of sixty (60) days. Mr.
4 Schiavon's services are needed to complete the investigation and analysis of investigative
5 reports, an audio tape and a CD disc recently provided as discovery. Mr. Schiavon's
6 testimony may also be needed at the hearing of any post-trial motions to be filed.

7 For the above stated reasons, good cause exists for the requested continuance.

DATED: November 17, 2005

Respectfully submitted,

/s/ Eric K. Fogderude
ERIC K. FOGDERUDE
Attorney for Defendant,
DANIEL BOOBAR

DATED: November 28, 2005

/s/ Jon Conklin

JON CONKLIN
Assistant United States Attorney

ORDER

IT IS SO ORDERED.

22 || DATED: November 29 , 2005

/s/ OLIVER W. WANGER

HONORABLE OLIVER W. WANGER
United States District Court Judge,
Eastern District of California